DAVID L. HENKIN #6876 ISAAC H. MORIWAKE #7141 **EARTHJUSTICE** 223 South King Street, Suite 400 Honolulu, Hawai'i 96813 Telephone No.: (808) 599-2436

Fax No.: (808) 521-6841

Email: dhenkin@earthjustice.org

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

| 'ILIO'ULAOKALANI COALITION, a |) Civil No. 04-00502 DAE BMK |
|--|------------------------------|
| Hawai'i nonprofit corporation; NĀ 'IMI | |
| PONO, a Hawai'i unincorporated |) PLAINTIFFS' MOTION TO |
| association; and KĪPUKA, a Hawai'i |) CLARIFY DECEMBER 29, 2006 |
| unincorporated association, | ORDER SETTING INTERIM |
| • |) INJUNCTION |
| Plaintiffs, |) |
| |) |
| V. |) |
| |) |
| ROBERT M. GATES, Secretary of |) |
| Defense; and FRANCIS J. HARVEY, |) |
| Secretary of the United States |) |
| Department of the Army, |) |
| • |) |
| Defendants. |) |
| |) |
| | |

EXHIBIT "5" TO DECLARATION OF DAVID L. HENKIN

PART 2 OF 2